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exilian date. Cornill, however, is surely more correct in assigning it, on linguistic grounds, at the earliest, to the Persian period: "If," he says, "of any book in the Bible it may be said 'Thy speech bewrayeth thee,' that book is the 'Song of Songs.'" Graetz, whose arguments Driver takes too little into account, is probably right in regarding the Song as contemporary with Greek poetry. Mr. Russell Martineau, in a recent paper before the Society of Historical Theology, Oxford, brings out some interesting parallels between it and verses of Bion and Moschus.

To a Greek date also must be assigned that other "unsolved problem," the book of "Ecclesiastes." "The question whether Koheleth shows immediate acquaintance with and direct dependence on Greek philosophy, is an open one: but this much is certain, that only through the influence at least of Hellenism could the Jewish mind produce such a work." So Cornill, with which Driver agrees.

As to the remaining books of the Old Testament, Lamentations, Ezra, Nehemiah, Chronicles, there is little or no difference of opinion between our authors. It only remains to say a word of praise for Dr. Cornill's excellent chronological register of the literature at the close of his volume, and to express a hope that Dr. Driver will some day add to his book an index of at least principal passages.

EDGAR INNES FRIPP.

*Untersuchungen zur Entstehung und Entwicklung der Hebräischen Accente. I. Theil. Von ADOLPH BÜCHLER. (Wien, 1891.)*

THE Talmud recommends appropriate intonation (*neimah*) for the reading of the Bible (Babyl. Talm. Megillah, 32a), but does not give any rules as to the way of intonation; nor is there any mention of musical symbols or notes. The term *taamim* ("accents") occurs several times in the Talmud, but it is doubtful whether it refers to "written symbols," or to "melody," or "accentuation" in general. The plural form of the word (*taamim*) suggests the existence of a number of accents, and great stress seems to have been laid on preserving the exact force of each of the various accents. When it was found that, contrary to the ancient custom, teachers received payment for instruction in the Law, these were excused on the plea that it was only the teaching of the accurate accentuation that was paid for. In a discussion whether *parim* in Exodus xxiv. 5 referred only to *sh'lamim*, or also to *oloth*, the question arose as to the object of the discussion, since it was indifferent to the *halachah* which of the two interpretations was adopted. The answer was that it was

important to know the correct interpretation, in order to be able to read the passage correctly, with the appropriate pauses, מִפְּנֵי פְסוּק הַטַּעֲמִים. Whether such a discussion in the Talmud proves the presence or the absence of a written and recognised system of accents, it certainly implies the existence of a traditional way of reading the Biblical text, by which the division of each sentence into its constituent elements, and the logical relation of these elements to each other, was clearly indicated. The accents (*taamin*), or musical notes, which generally accompany the text in ancient manuscripts, as well as in the ordinary editions of the Bible, serve also this purpose. Many scholars have attempted to explain the principles which guided the authors of the accents in the selection of the special accent for each word, and accordingly to determine the logical value of each individual accent. Heidenheim, Baer, and Wickes are the foremost among them. Excellent as the rules established in the works of these scholars may be, correct as the principle of dichotomy accepted by them may be, these do not suffice to explain the numerous anomalies and exceptions, in spite of the assumed theory of transformation, transposition, and substitution of accents. Dr. Büchler, in the present work, has undertaken to supply the deficiency. He searches for the origin of the accents, and follows in his research the theory adopted by Graetz, that the vowel-points, as well as the accents, were not the product of one man or of one school, but owe their present form to a gradual development from small beginnings. After much painstaking, minute and intelligent searching, examining and comparing of accents and words, he comes to the conclusion that the present system of accents has been built up on the basis of Masoretic diacritical signs. It was deemed necessary occasionally to remind the reader of the right way by some sign, whenever there were two ways before him, and the wrong way was likely to attract him. The elements of such signs are the point, a small circle, a perpendicular or a horizontal line. Dr. Büchler chooses the perpendicular for his starting-point, and shows, almost convincingly, the development of a large number of the accents from the perpendicular.

Two consecutive words may logically be connected the one with the other, or separated the one from the other. Connection is naturally indicated by the horizontal line between the two words, whilst the perpendicular between them indicates their separation from each other. Of the many different degrees of relationship that exist between two words, from the closest connection to complete separation, each one is represented in the fully-developed system of accents by a special sign; but at first it may have been left to the discretion of the reader, and only exceptional cases were pointed out to him

Thus we find that particles and other small words are, as a rule, treated as enclitics, or accentless words ; but, under certain circumstances, such enclitics frequently regain their independence, and must be read as separate words. This fact was probably indicated by a perpendicular line, the object of which is to prevent the reader from hurrying too quickly on to the next word. In one instance this purpose of the perpendicular is obvious, viz., the *pasek* or *legarmeh* ; we recognise it also in the *metheg*, the meaning of which, "bridle," implies this very purpose. Were it not for the natural force of the horizontal and the vertical lines we might have expected to find points as the first beginnings of the accents. For there is no doubt about the presence of diacritical points in the ancient copies of the Torah ; the words and phrases that were provided with dots over the letters are mentioned in the Talmud. It is also possible that dots were employed in the formation of vowel signs, and lines were, therefore, preferred for the construction of accents.

At first the enclitics were probably the only words that were marked by the horizontal line. Whenever an enclitic was endowed with independent existence it was only necessary to omit the horizontal line (*makkef*.) But in order that the omission of the *makkef* should not be considered as a mistake and the result of the scribe's carelessness, it was necessary for the guidance of the reader that the separation of the enclitic from the succeeding word should be marked by some positive sign. Instead of placing the perpendicular after the enclitic it was placed under it, probably in order to distinguish it from the *pasek*, which indicated a higher degree of separation or pause. This perpendicular was the original form of the accent, but we possess it only in its modifications and variations, in all of which Dr. Büchler not only traces the perpendicular, but also the original force of the perpendicular. The first modification consisted of a combination of both lines, the horizontal and the perpendicular ; the sign is known by the name of *munach* ; it removes the enclitic nature of the word, but at the same time indicates by the horizontal line the close relation of the word to that which follows. The repetition of the *munach* under two consecutive words preserves, according to Dr. Büchler, the original mode of placing a vertical line under each of the words which are exceptionally kept separate ; the repetition is to show that the two words have two accents instead of the one, which they would have if they were joined by *makkef*. In most cases the second perpendicular has, in the course of the development of the accents, been changed into a different form.

*Merchah* is, according to Dr. Büchler, identical with *munach* ; it is proved by numerous instances that *merchah* and *munach* interchange ;

that the significance of *munach-munach*, *munach-merchah*, and *merchah-munach* is exactly the same. *Mehuppach* "inverted" is merely another way of modifying the perpendicular, by turning the horizontal line to the right instead of the left. *Mehuppach*, *yethib* and *tiph'cha* owe their origin to the same cause. The repetition of the *m'huppach* or *yethib*, or the combination of either with *merchah*, are equal in force to *munach-munach*.

We find, however, in our system of accents also a group of accents superscribed over the letters, and these Dr. Büchler traces to the same origin, and demonstrates that they are nothing else but the perpendicular, and that they originally served as an indication of the absence of the *makkef*. Thus *azla*, *pashta*, *kudma*, *geresh*, and double *geresh* (*gershayim*) are, according to Dr. Büchler but modified perpendiculars. *Pazer*, *Zakef-gadol* and *shalsheth* are three variations of the perpendicular combined with one, two and three points respectively.

The question naturally arises why should there be two systems of perpendiculars, some written under the letters and some above them, if all of them have the same source and served originally the same purpose? The answer to this question is as follows:—There was no prescribed method of marking the absence of the *makkef*. In public only such copies of the Bible were used as had no marks whatever added to the text except the dots referred to above. But for private use some, especially readers and teachers, had in their private copies—*megillath setharim*—certain signs added to the text for the purpose of facilitating their preparation for the public reading and teaching. These signs were arbitrary, and varied according to the view, taste and convenience of the writer. In this way it came that perpendiculars under the line, perpendiculars over the line, points and circles were employed as accents. When the accents were turned later on into musical notes, the various systems in existence were all made use of as the greatest possible variety of signs was required to express all the various relations of the words to one another, and to the whole of the phrase or sentence. This account of the origin and development of the accents explains also the apparently strange fact of having for twenty-one books of the Bible one system of accentuation and another for the three books, Psalms, Proverbs, and Job (תנ"ך). The difference, however, is only superficial; if we look to the original value of the signs, we find them equal.

The perpendicular, according to Dr. Büchler, served also another purpose. It appears sometimes, in comparing two parallel passages, that in the one passage something has been omitted by the carelessness of the copyist, or in the other something added superfluously; or that a word in the one passage is erroneously replaced in the other by a different word; or that there is a strange spelling, or a strange con-

struction of the sentence ; a confounding of numbers or genders and the like. The reader might consider these as mistakes, and be inclined to correct them. The Masorites, in their endeavour to preserve the Biblical text in its traditional form, marked all such passages by the perpendicular line, and indicated thereby that the deviations were traditional and not the result of carelessness and error. Whilst the selection of the perpendicular line to indicate the absence of *makkef* seems but natural, and is easily understood, the Masoretic perpendicular is beset with many difficulties. Would the Masorites not have preferred the point in imitation of the precedent of the traditional words with dots ? And if they intended to distinguish their sigas from the more ancient and traditional dots there were the circle and the asterisk at their disposal. Would not the Masorites in trying to prevent confusion just have created a source of confusion by employing one and the same sign in two different meanings ?

The work before us is the first instalment of Dr. Büchler's researches ; that which is yet in store for us will, no doubt, bring further proofs in support of the new theory. The numerous and striking instances which Dr. Büchler quotes for each of his assertions not only prove the thoroughness of his research and the soundness of his views, but fully justify our hopes that whatever is left uncertain in the first part will be made firm and clear in the second part. Even if the doubts concerning the new theory should not be entirely dispelled, all earnest students of the Bible must welcome the first part of Dr. Büchler's work as a source of interesting and instructive information, and wish the author God-speed for the production of the second part.

M. FRIEDLÄNDER.

*The Criminal Jurisprudence of the Ancient Hebrews ; Compiled from the Talmud and other Rabbinical Writings, and Compared with Roman and English Penal Jurisprudence.* By S. Mendelsohn, LL.D., D.D. Baltimore : M. Curlander, 1891. Pp. viii. and 270.

COMPARATIVE jurisprudence, in the sense in which it is distinguishable from historical jurisprudence, can scarcely be said as yet to have a separate existence. Since Leibnitz very originally, though somewhat superficially, carried out the project of tabulating the universal laws, and presenting striking parallels between the methodical differences of national jurisdiction, nothing has been done for the comparison of